

Inter-Tel NetSolutions, Inc.

**INTER-TEL NETSOLUTIONS, INC.**

120 N. 44<sup>th</sup> Street, Suite 200  
Phoenix, Arizona 85034

**RATES, RULES AND REGULATIONS for FURNISHING**

**RESALE TELECOMMUNICATIONS SERVICES**

Filed with the

**PUBLIC SERVICE COMMISSION OF KENTUCKY**

This tariff contains the descriptions, regulations, and rates applicable to the furnishing of intrastate (intralata and interlata) service for telecommunications services provided by Inter-Tel NetSolutions, Inc., with principal offices at 120 N. 44th Street, Suite 300, Phoenix, Arizona 85034, to customers within the Commonwealth of Kentucky. This tariff is on file with the Public Service Commission of Kentucky, and copies may be inspected, during normal business hours, at the Company's principal place of business listed above.

PUBLIC SERVICE COMMISSION  
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Issued by:  
Mr. Ross McAlpine, President  
Inter-Tel NetSolutions, Inc.  
120 N. 44th Street, Suite 200  
Phoenix, Arizona 85034

PURSUANT TO 807 KAR 5.011,  
SECTION 9 (1)  
BY: Stephen D. Bue  
SECRETARY OF THE COMMISSION

CHECK SHEET

The Title Page and Pages 1 through 28 inclusive of this tariff are effective as of the date shown at the bottom of the respective pages(s). Original and revised pages as named below comprise all changes from the original tariff and are currently in effect as of the date on the bottom of this page.

<u>SHEET</u>	<u>REVISION</u>	<u>SHEET</u>	<u>REVISION</u>
1	Original*	26	Original*
2	Original*	27	Original*
3	Original*	28	Original*
5	Original*		
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\* Indicates a page submitted with this filing.

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SECTION 9(1)  
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TARIFF FORMAT

- A. Page Numbering - Page numbers appear in the upper right corner of the page. Pages are numbered sequentially. However, new pages are occasionally added to the tariff. When a new page is added between pages already in effect, a decimal is added to the preceding page number. For example, a new page added between sheets 14 and 15 would be numbered 14.1.
- B. Page Revision Numbers - Revision numbers also appear in the upper right corner of each page. These numbers are used to determine the most current page version on file with the Commission. For example, the 4th revised Page 14 cancels the 3rd revised Page 14. Consult the Check Sheet for the page currently in effect.
- C. Paragraph Numbering Sequence - There are nine levels of paragraph coding. Each level of coding is subservient to its next higher level:
- 2.
  - 2.1
  - 2.1.1.
  - 2.1.1.(A).
  - 2.1.1.(A).1.
  - 2.1.1.(A).1.(a).
  - 2.1.1.(A).1.(a).I.
  - 2.1.1.(A).1.(a).I.(i).
  - 2.1.1.(A).1.(a).I.(i).(1).
- D. Check Sheets - When a tariff filing is made with the Commission, an updated check sheet accompanies the tariff filing. The check sheet lists the pages contained in the tariff, with a cross reference to the current revision number. When new pages are added, the check sheet is changed to reflect the revision. All revisions made in a given filing are designated by an asterisk (\*). There will be no other symbols used on this page if these are the only changes made to it (i.e., the format, etc. remains the same, just revised revision levels on some pages). The tariff user should refer to the latest check sheet to find out if a particular sheet is the most current on file with the Commission.

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TARIFF FORMAT (CONT'D)

E. Explanation of Symbols - When changes are made in any tariff sheet, a revised sheet will be issued canceling the tariff sheet affected. Changes will be identified on the revised page(s) through the use of the following symbols:

(C) - Change In Regulation But No Change In Rate or Charge

(D) - Delete or Discontinue

(I) - Change Resulting In An Increase to A Customer's Bill

(M) - Relocated From Another Tariff Location

(N) - New

(R) - Change Resulting In A Reduction to A Customer's Bill

(T) - Change In Text But No Change In Rate or Charge

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APPLICATION OF TARIFF

This tariff contains the regulations and changes applicable to intrastate interexchange telecommunications reseller services provided by Inter-Tel NetSolutions, Inc. to Customers within the Commonwealth of Kentucky.

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CONCURRING, CONNECTING OR  
OTHER PARTICIPATING CARRIERS

1. Concurring Carriers - None.
2. Terminating Carriers - Inter-Tel NetSolutions, Inc., a certified interexchange carrier in the Commonwealth of Kentucky.
3. Other Participating Carriers - None.
4. Billing Agents - The local exchange company serving each particular equal access area.

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**SECTION 1 - TECHNICAL TERMS AND ABBREVIATIONS**

**Commission** - The Public Service Commission of Kentucky.

**Company** - Inter-Tel NetSolutions, Inc. ("NetSolutions").

**Customer or subscriber** - A person or other entity which orders service and is responsible for payment of charges due and compliance with the Company's tariff regulations.

**LATA** - Local Access Transport Area is a geographic boundary within which the LEC provides communications services. Multiple LECs may provide services within the same LATA.

**Local Exchange Carrier (LEC)** - The serving telephone company providing local services to subscribers. This company may also provide some of the following services: LATA wide long distance, voice and data private lines, custom calling services and billing and collection services.

**Rate Periods** - The times included in the terms "Peak Rate Period" and "Off-Peak Rate Period" shall be as follows:

Peak Rate Period: Monday-Friday, 8:00 a.m. - 5:00 p.m.

Off-Peak Rate Period: All time periods not included in Peak Period.

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SECTION 9 (1)  
By Sharon O. Bui  
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SECTION 2 - RULES AND REGULATIONS2.1 Undertaking of Inter-Tel NetSolutions, Inc.

The Company provides long distance telecommunications services originating and terminating throughout the Commonwealth of Kentucky in accordance with the terms of this tariff.

Service is provided on a monthly basis and is available 24 hours per day, 7 days a week. Service will continue until terminated in accordance with the terms of this tariff.

The Company is authorized to serve as its Customers' agent for purposes of ordering changes to and maintenance of the telecommunications services provided by any interexchange and/or local exchange carrier that may be necessary to implement and maintain the Company's services provided to a Customer. The Company is authorized by its Customers to deal directly with any such carriers and with any other vendor in all matters pertaining to its provision of service to a Customer. A Customer's appointment of the Company as its agent shall not apply to any software modifications that may be necessary with respect to traffic routing or least-cost routing features or functions, which modifications must be made by the Customer through appropriate interaction with the responsible vendor of such features or functions. The Company's appointment as a Customer's agent remains in effect unless modified or revoked in writing.

2.2 Limitations

2.2.1 Service is offered subject to the availability of facilities and the provisions of this tariff. Service may be used for the transmission of communications by the Customer and the Customer's authorized user(s). The Customer may not use any of the services furnished by the Company under this tariff for any unlawful purpose.

2.2.2 The Company reserves the right to discontinue furnishing service, or limit the use of service necessitated by conditions beyond its control or when the Customer is using service in violation of the law or the provisions of this tariff.

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SECTION 19(1)  
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SECTION 2 - RULES AND REGULATIONS, CONT'D

2.3 Disclaimer of Warranties and Limitation of Liability

- 2.3.1 As to the Company's service, the Company makes no promises, agreements, understandings, representations or warranties, express or implied, including any warranty of merchantability or fitness for a particular purpose.
- 2.3.2 The liability of the Company for damages arising out of mistakes, omissions, interruptions, delays, errors or defects in transmission occurring in the course of furnishing service or other facilities and not caused by the negligence of the Customer, commences upon activation of service and in no event exceeds an amount equivalent to the proportionate charge to the Customer for the period of service during which such mistakes, omissions, interruptions, delays, errors or defects in transmission occur. For the purpose of computing such amount, a month is considered to be 30 days.
- 2.3.3 The Company is not liable to the Customer for direct, indirect, or consequential damages, including but not limited to, loss of use of the Company's services or lost revenues or profits.
- 2.3.4 The Company is not liable to the Customer for any act or omission of any other company or companies furnishing a portion of the Customer's service.

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SECTION 2 - RULES AND REGULATIONS, CONT'D

2.3 Disclaimer of Warranties and Limitation of Liability, cont'd

2.3.5 The Company is not liable for and the Customer indemnifies and holds the Company harmless against any and all losses, claims, demands, suits or other actions, or any liability whatsoever whether suffered, made, instituted or asserted by the Customer or by any other party or person or persons, and for any loss, damage, defacement or destruction of the premises of the Customer or any other property, whether owned by the Customer or others, caused or claimed to have been caused directly or indirectly by the installation, operation, failure to operate, maintenance, removal, presence, condition, location or use of equipment or wiring provided by the Company where such installation, operation, failure to operate, maintenance, removal, presence, condition, location or use is not the direct result of the negligence of the Company. No agents or employees of other carriers shall be deemed to be agents or employees of the Company.

2.3.6 The Company also is not liable for and the Customer indemnifies and holds the Company harmless against:

- (A) Claims for libel, slander, or infringement of copyright or unauthorized use of any trademark, trade name or service mark arising out of the material, data, information, or other content transmitted over the Company's network.
- (B) Claims for patent infringement arising from combining or connecting the Company's facilities with apparatus and systems of the Customer.
- (C) All other claims arising out of any act or omission of the Customer in connection with any service provided by the Company.

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SECTION 2 - RULES AND REGULATIONS, CONT'D2.4 Customer Application for Service

Businesses or residential Customers wishing to obtain service from the Company must execute a customer service agreement which includes the Customer's authorization for the Company to instruct other carriers to provide certain services on the Customer's behalf.

2.5 Establishment and Reestablishment of Credit

Applicants may be required at any time to make an advance payment up to an amount equaling one month's actual or estimated charges for the services to be provided. The Company reserves the right to examine a credit record of all applicants and Customers and require a deposit of business Customers which are unable to demonstrate good credit or payment histories. Deposits shall be administered as indicated in section 2.12 of this tariff.

2.6 Continuity of Service

In the event of the Company's foreknowledge of an interruption of service for a period exceeding 24 hours, the Company will use its best efforts to notify the Customer in advance by telephone or in writing.

2.7 Notices

2.7.1 Except as provided in 2.6 above, any notice or demand required of Customer or the Company will be effective when it is mailed, properly addressed, with postage prepaid to the other party at the address shown on the reverse side.

2.7.2 Unless otherwise provided by these rules, any notice, including changes of address, from any Customer or his authorized representative must be given by written notice, by mail, to the Company's business office: Inter-Tel NetSolutions, Inc., 120 N. 44th Street, Suite 300, Phoenix, Arizona 85034.

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SECTION 2 - RULES AND REGULATIONS, CONT'D

2.8 Customer Service

Company Service Representatives are available at (800) 821-1661 to assist with customer service and billing inquiries Monday through Friday between 7:00 a.m. - 5:00 p.m. M.S.T. Customer inquiries may also be addressed in writing to the Company at the address provided in Section 2.7.2 above. Twenty-four hour emergency service is also available seven days a week by dialing (800) 244-3279.

2.9 Rendering and Payment of Bills

2.9.1 Service is provided on a monthly (30 day) basis. Initial service for a partial month will be prorated.

2.9.2 The bill statement date is dependent on the billing cycle assigned to the Customer.

2.9.3 Customers will receive bills by one of two methods:

- (A) Customers may be billed directly by the Company.
- (B) Customers may be billed on the Company's behalf by a third party billing service.

2.9.4 Each Customer's monthly bill will provide detailed information on charges for long distance services obtained through the Company, including the specific date and time of each call, its duration, place of termination, and charge.

2.9.5 Bills are payable upon receipt and in accordance with the terms of this tariff. Bills may be paid by mail or at the Company's business office. All charges for services are payable only in United States currency, and may be made by check, money order, or cashiers check.

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SECTION 2 - RULES AND REGULATIONS, CONT'D2.9 Rendering and Payment of Bills, cont'd.

- 2.9.6 If payment of the Customer's bill is not received within 30 days of the statement date specified on the bill, the Company, at its discretion, may debit any credit card number provided by the Customer for the full amount of the invoice plus any late charges that may apply.
- 2.9.7 The Customer shall be responsible for payment of all costs of collection of past due amounts, including reasonable attorney's fees incurred by the Company.
- 2.9.8 A rebilling fee, at the rate of 1.5% per month, will be charged for past due accounts unless otherwise prescribed by law, in which event the rebilling fee will be charged at the highest rate allowed by the law. Pursuant to 807 KAR 5:006, Section 8(3)(h), additional penalty charges shall not be assessed on unpaid penalty charges previously assessed.
- 2.9.9 A charge of \$20.00 will be assessed Customers for any insufficiently funded check returned to the Company.
- 2.9.10 In the event that any change in the rates or tariffs of the carriers whose services the Company resells to its Customers, the Company shall provide its Customers 30 days written notice of any effect of such change in the billing rate of or service provided to the Customer. Unless a Customer notifies the Company in writing of its request for alteration or termination of services, any new billing rate or service change shall be deemed accepted and effective the date specified in the Company's notice.

2.10 Disputed Bills

In the case of a billing dispute between a Customer and the Company for service furnished to the Customer, which cannot be settled with mutual satisfaction, the Customer may request, and the Company will comply with the request, an in-depth review of the disputed bill. The undisputed portion of the Customer's bill, and subsequent bills, must be paid on a timely basis or the service will be subject to disconnection.

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**SECTION 2 - RULES AND REGULATIONS, CONT'D****2.11 Discontinuance, Restoration and Transfer of Service****2.11.1 Cancellation by Customer**

Service will be provided for the term of service elected by the Customer in the service agreement it enters into with the Company. Unless the Company receives a written service termination notice by the Customer on or before 30 days from the end of the agreed service period, the services provided hereunder shall continue on a monthly basis until either party shall give the other party at least 30 days written notice.

The Customer is responsible for payment of all charges for service furnished Customer prior to the actual termination of Customer's service. In addition, in the event a Customer terminates its service agreement with the Company prior to the end of the service period specified therein, the Customer shall pay, in addition to all other charges due for service provided, a sum equal to the average of one month's service and long distance billing plus a sum equal to the value of any promotional credit awarded the Customer during the term of the agreement.

**2.11.2 Cancellation by the Company**

The Company may discontinue service or cancel an application for service without incurring any liability under the following circumstances:

- (A) Non-payment of any sum owing to the Company;
- (B) For insufficient or fraudulent billing information, invalid or unauthorized telephone numbers, credit card numbers or pre-arranged account code numbers;

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SECTION 2 - RULES AND REGULATIONS, CONT'D

2.11 Discontinuance, Restoration and Transfer of Service, cont'd

2.11.2 Cancellation by the Company, cont'd

- (C) The violation by the Customer of any law, rule or regulation of any governmental authority having jurisdiction over the service;
- (D) The prohibition against the Company from furnishing services by order of a court or other governmental authority having jurisdiction; or
- (E) The providing of false or misleading credit information by the Customer.

The Company will provide the Customer written notice of such discontinuance ten days prior to discontinuance.

2.11.3 Restoration Procedure

To restore service, a Customer must submit an application for service and pay all outstanding amounts due the Company. At the Company's discretion, payment of a deposit may be required. Any deposits collected will be administered in compliance with Commission rules.

2.11.4 Transfer of Service

A Customer's service from the Company may not be assigned or transferred by a Customer without the Company's express written approval.

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SECTION 2 - RULES AND REGULATIONS, CONT'D

2.12 Deposits

The Company does not require deposits from its residential Customers. A deposit may be required of any business Customer who is unable to demonstrate a good credit or payment history. Any deposits collected will be administered in compliance with Commission rules.

2.13 Taxes

All state and local taxes (e.g., gross receipts tax, sales tax, municipal utilities tax, 9-1-1 assessments) are listed as separate line items and are not included in the quoted rates.

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SECTION 3 - DESCRIPTION OF SERVICE

3.1 Timing of Calls

The Customer's long distance usage charge is based on call duration and time-of-day. Calls are timed and measured by the underlying carrier, whose services are resold by the Company, in accordance with its own tariff.

3.1.1 On all calls, chargeable time begins when connection is established between the calling station and the called station.

3.1.2 Chargeable time ends when the calling station "hangs up." If the called station "hangs up" but the calling station does not, chargeable time ends when the connection is released by the automatic timing equipment in the network.

3.1.3 When the Company's services are directly connected to a Customer-provided communications systems at the Customer's premises, chargeable time begins when a call terminates in, or passes through, the first Customer equipment on that Customer provided communications system.

3.2 Rate Period Overlap

Calls that overlap rate periods will be rated in relation to the amount of minutes that correspond to each rate period.

3.3 Minimum Call Completion Rate

The Company's network is engineered for network blockage purposes to a P.01 grade of service.

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SECTION 3 - DESCRIPTION OF SERVICE, CONT'D

3.4 Service Offerings

3.4.1 Description of Services

(A) Direct Dial WATS/Day & Night Service

Basic "1+" direct dialed intrastate telecommunications service available in all equal access areas for use by subscribers 24 hours a day.

Calls are charged on a flat-rated, per minute of use basis, with peak and off-peak periods. Billing for this service is calculated in six-second increments with an 18 second minimum call period.

One to five-digit accounting codes are available to enable Customers to easily track calls by project, client, department or other accounting group. A travel card is available to Customers at no extra charge.

(B) T-1 WATS Service

Interexchange service utilizing dedicated T-1 access for high volume Customers. Calls are charged on a flat-rated, per minute of use basis, with peak and off-peak periods. 24 separate access lines provide the capability of handling 24 simultaneous calls. Billed in six-second increments, with an 18 second minimum. Account and security codes are available.

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SECTION 3 - DESCRIPTION OF SERVICE, CONT'D3.4 Service Offerings, cont'd

## 3.4.1 Description of Services, cont'd

## (C) Non-Dedicated Toll Free Service

This in-bound toll service permits calls to be completed at the subscriber's location without charge to the calling party. Calls are charged on a flat-rated basis with peak and off-peak periods. Access to this service is gained by dialing a 10-digit telephone number (800 or 888-NXX-XXXX) which will terminate at the subscriber's location. Toll Free access is available from anywhere in the United States.

The subscriber may elect to permit calls to originate from any location within the state or may geographically restrict access based on the caller's area code.

Calls are originated and terminated via normal shared use facilities. The intrastate charge for switched Toll Free service is a fixed rate per minute. Billed in six-second increments, with an 18 second minimum.

## (D) T-1 Toll Free Service

Toll Free flat usage-based rated service utilizing dedicated T-1 access for high volume Customers. Calls are charged on a flat-rated, per minute of use basis, with peak and off-peak periods. Calls are billed in six-second increments, with a 18-second minimum. Special features include Route Advance, Dialed Number Identification Service, Area Code and Exchange Routing, Time Routing, Area Code Selection, and Automatic Number Identification.

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SECTION 3 - DESCRIPTION OF SERVICE, CONT'D

3.4 Service Offerings, cont'd

3.4.2 Special Features

(A) The following special features are available with Non-Dedicated Toll Free and Dedicated Toll Free Service:

1. Enhanced Toll Free Routing - Routing is available to improve call handling efficiency and productivity by allowing the Customer to route traffic by service group, area code, time of day, day of week and day of the year.
2. Area Code Selection - Area Code Selection allows a Customer to geographically restrict access to its Toll Free number based on the call's area code.

(B) The following special features are available with Dedicated Toll Free Service:

1. Route Advance - Route Advance ensures that all calls are answered during peak calling periods by overflowing to the Customer's local business lines.

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SECTION 3 - DESCRIPTION OF SERVICE, CONT'D3.4 Service Offerings, cont'd3.4.2 Special Features, cont'd(B) Dedicated Toll Free Service Special Features, cont'd

2. Uniform Call Distribution - Uniform Call Distribution (UCD) enables a Customer's operators to work more efficiently by evenly distributing Toll Free calls over all lines in a service group.
3. Dialed Number Identification - Dialed Number Identification Service permits multiple Toll Free numbers to terminate on the same service group to increase the efficiency and cost effectiveness of each service group. Customer's operators can provide more personalized customer service because they immediately know the 800 number the caller has dialed.

3.4.3 Calling Card Service

A flat-rated calling card service which Customers access by dialing a Toll Free number specified on their calling card. The Company's calling card service ensures 100% digital fiber-optic access on all domestic calls. The card can also be used for international calling. Calling card calls can be placed from rotary and touch tone phones. Multiple calls may be placed using the # button on a touch tone phone. A scrambled 14-digit code provides security and lessens the chance for code abuse. A misdialed/correction feature permits fast, easy correction of misdialed numbers. Call detail is provided in conjunction with calling card service and permits the Customer to monitor usage. The Company will replace lost or stolen cards quickly and at no charge to the Customer. Calls are billed in 60-second increments.

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SECTION 3 - DESCRIPTION OF SERVICE, CONT'D

3.4 Service Offerings, cont'd

3.4.4 Directory Assistance

Local exchange directory assistance operators may be accessed by dialing  
1+(area code)+555-1212.

3.4.5 Special Promotions

Special Promotions may be provided from time to time to attract new subscribers or to increase subscriber awareness of a particular service offering.

These promotional offerings may only apply to certain services and may be limited to specific dates, times and locations.

Except for the rates charged under special promotions offerings, all other terms and conditions of service contained in this tariff will apply to such service offerings.

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SECTION 4 - RATES4.1 Rate Applicability

Applicable to all business and residential subscribers.

4.2 Rates and Charges

Direct Access ("1+") Long Distance Service:

<u>Service Type</u>	<u>Dollars (\$) per minute</u>	
	<u>Peak</u>	<u>Off-Peak</u>
Direct Dial WATS Day/Night	.0980	.0980
Non-Dedicated Toll Free	.0980	.0980
T-1 WATS Service	.0660	.0660
T-1 Toll Free Service	.0660	.0660

4.3 Rate Periods

Peak Rate Period: Monday-Friday, 8:00 a.m. - 5:00 p.m.

Off-Peak Rate Period: All time periods not included in Peak Period

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SECTION 4 - RATES, CONT'D4.4 Operator-Assisted Calls

The Company does not directly provide operator services. However, the Company Customers desiring operator assistance for local calls may dial "0" and will be assisted by the LEC. The Company Customers desiring operator assistance in making or billing long distance calls dial "00" and will be afforded access to an operator of a carrier that is authorized to provide operator services in the Commonwealth of Kentucky. Long distance operator assisted calls routed to the Company's underlying carrier are charged at the underlying carrier rates and are not marked up by the Company.

4.5 Calling Card Service

\$ .25 per minute.

4.6 Directory Assistance

Charges for all calls made to directory assistance, regardless of the time of day or date completed:

1 + (xxx) 555-1212:           \$ .65

No additional measured use or per call charges apply to calls made to directory assistance.

4.7 Uncompleted Calls

No charge will be incurred for calls where there is a busy signal, or no answer from the called party.

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SECTION 4 - RATES, CONT'D4.8 Monthly Charges

Non-Dedicated Toll Free Service	\$15.00
Non-Verified Account Codes	No charge
Security Codes (verified account codes):	
1-50 codes	\$ 5.00
51-200	\$10.00
201+	\$25.00

4.9 Non-Recurring Charges

For Toll Free services, there is a one-time charge of \$135.00 for selection of one or more originating area codes. The charge remains the same regardless of the number of area codes chosen. There is also a \$135.00 one-time charge to change an existing area code selection plan. The charge remains the same regardless of the number of area codes changed.

For Security Codes, there is a one-time charge of \$15.00 for installation and per change/day charge of 15.00.

4.10 Description of Billing Format

The billing invoice sent to the customer will include the Customer's name, address, account number, statement date, statement period and invoice number. Charges on the invoice will include any previous balances, payments or credits, adjustments and late charges. Current activity will reflect charges for current call usage, current services and current taxes. Call detail will include the date, time, type, length (in minutes) and charges for each call as well as the called number and location of the called number (city and state for domestic calls or country for international calls).

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